

NOT FOR PUBLICATION

UNITED STATES COURT OF APPEALS
FOR THE NINTH CIRCUIT

FILED

DEC 12 2005

CATHY A. CATTERSON, CLERK
U.S. COURT OF APPEALS

UNITED STATES OF AMERICA,

Plaintiff - Appellee,

v.

JAMES ALAN ROSE,

Defendant - Appellant.

No. 04-30097

D.C. No. CR-02-30013-ALA

MEMORANDUM*

Appeal from the United States District Court
for the District of Oregon
Ann L. Aiken, District Judge, Presiding

Submitted December 5, 2005**

Before: GOODWIN, W. FLETCHER and FISHER, Circuit Judges.

James Alan Rose appeals his 100-month sentence imposed upon his guilty plea to possession with intent to deliver marijuana (21 U.S.C. § 841(a)(1) and (b)(1)(D)); felon in possession of firearms (18 U.S.C. § 922(g)); and money

* This disposition is not appropriate for publication and may not be cited to or by the courts of this circuit except as provided by 9th Cir. R. 36-3.

** This panel unanimously finds this case suitable for decision without oral argument. *See* Fed. R. App. P. 34(a)(2).

laundering (18 U.S.C. § 1956(a)(1)(B)(I)). We have jurisdiction pursuant to 28 U.S.C. § 1291.

We remand to the sentencing court for further proceedings consistent with *United States v. Ameline*, 409 F.3d 1073, 1084-85 (9th Cir. 2005) (en banc).

REMANDED.